

**NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT
TO THE GEORGIA COMPOSITE BOARD OF
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND
FAMILY THERAPISTS CHAPTER 135-6, REGULATION OF LICENSES, RULE
135-6-.06, INIACTIVE STATUS, AND NOTICE OF PUBLIC HEARING**

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists (hereinafter “Board”) proposes an amendment to the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, Chapter 135-6 Regulation of Licenses, Rule 135-6-.06 Inactive Status (hereinafter “proposed rule amendment”).

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being mailed to all persons who have requested, in writing, that they be placed on a mailing list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists office website at www.sos.state.ga.us/plb/counselors or by contacting the Board office at 478-207-2440.

A public hearing is scheduled to begin at 10:00 a.m. on Friday, June 8, 2012 in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment. At the public hearing anyone may present data, make a statement, comment or offer a viewpoint or argument whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements should be concise and will be limited to five (5) minutes per person. Written comments are welcomed. Such written comments must be legible and signed, should contain contact information from the maker (address, telephone number and/or facsimile number, etc.) and be actually received in the office prior to the close of business (5:00 p.m. EDT) on Friday, June 1, 2012. Written comments should be addressed to Lisa W. Durden, Director, Professional Licensing Boards Division, Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists, 237 Coliseum Drive, Macon, Georgia 31217. Fax (866) 888-7127.

The Board will consider the proposed rule amendment for adoption at its meeting scheduled to begin at 10:10 a.m. on Friday, June 8, 2012 at the Georgia Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia Composite Board of Professional Counselors, Social Workers and Marriage and Family Therapists has the authority to adopt proposed rule amendments 135-6-.04 pursuant to authority

contained in O.C.G.A. §§ 43-1-22. At its meeting on Friday, April 13, 2012, the Board voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-22.

Additionally, at its meeting on Friday, April 13, 2012, the Board voted that it is not legal or feasible to meet the objectives of O.C.G.A. §§ 43-1-22 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed in the field of Professional Counselors, Social Workers, and Marriage and Family Therapists.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 20th day of April, 2012

Lisa W. Durden
Director, Professional Licensing Boards Division
Office of Secretary of State Brian Kemp

Posted: April 20, 2012

**SYNOPSIS OF PROPOSED CHANGES TO THE GEORGIA COMPOSITE
BOARD OF PROFESSIONAL COUNSELORS, SOCIAL WORKERS, AND
MARRIAGE AND FAMILY THERAPISTS RULE FOR
CHAPTER 135-6, REGULATION OF LICENSES, RULE 135-6-.06, INACTIVE
STATUS**

Purpose: The purpose of this rule amendment is to clarify the license types eligible for inactive status and change the time frame to reactivate.

Main Features: The amendment clarifies the Board's non-acceptance of an inactive status request for a associate level license, and to update the time frame and requirements for re-activation or reinstatement.

**DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED
AMENDMENTS TO THE GEORGIA COMPOSITE BOARD OF
PROFESSIONAL COUNSELORS, SOCIAL WORKERS AND MARRIAGE AND
FAMILY THERAPISTS RULE FOR CHAPTER 135-6, REGULATION OF
LICENSES, RULE 135-6-.06, INACTIVE STATUS**

[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

135-6-.06 Inactive Status. Amended.

(1) Inactive licensure status is not available for Associate Professional Counselors or Associate Marriage and Family Therapist licensees.

~~(1-2)~~ A licensee who does not intend to practice in Georgia and who therefore does not intend to practice or to use the title Professional Counselor, Social Worker, or Marriage Aand Family Therapist may apply to convert an active license to inactive status. An individual who holds an inactive license will not be required to renew their license or to satisfy the biennial renewal requirements.

~~(2 3)~~ A license may remain inactive for no more than six five (5) years from the date the status is converted to inactive by the administrative staff. If a licensee has not applied to reactivate their license before the ~~six five (5)~~ year deadline, the license will be revoked for failure to reactivate. ~~In order to obtain a new license, a person whose license has been revoked for failure to reactivate must apply for reinstatement licensure by examination following the procedure set out in Chapter 135-3. The applicant also must satisfy the current requirements for licensure set out in Chapter 135-5. In order to meet these requirements the applicant may use any qualifying education, experience and supervision, including any which was applied toward their previous application for licensure, but must, upon approval of their application by the Board, take and pass the licensing examination.~~

~~(3 4)~~ A person who holds an active license may apply for inactive status in the following manner:

~~(a) Request in writing that~~ Submit a completed, signed, notarized “Request for Inactive Status” application to the Board place the license into inactive status. There is no fee to apply for inactive status;

~~(b) Submit an affidavit affirming that while on inactive status the licensee will not in any way indicate or imply: that they hold an active Georgia license; or that they practice as a Professional Counselor, Social Worker, or Marriage and Family Therapist; or use within the State of Georgia any words, letters, titles or figures which indicate that they are a Professional Counselor, Social Worker, or Marriage and Family Therapist; and~~

~~(e-b) Submit their biennial renewal the license pocket card; but retain their decorative wall certificate with the application.~~

~~(4 5)~~ A person who holds an inactive license may apply to reactivate their license within five (5) years or less from date active status was converted to inactive status by the administrative staff in the following manner:

(a) Submit an Application for Reactivation;

(b) Submit the reactivation fee (see fee schedule); and

(c) Submit evidence that the licensee has ~~satisfied the current~~ obtained thirty five (35) hours of continuing education pursuant to Board rule 135-9 within two (2) years of the date of the application for reactivation. requirement for renewal set out in Chapter 135-9. ~~Such evidence shall include a description of the continuing education activities completed, along with photostatic copies of the documentation outlined in Rule 135-9-.03.~~

~~(5)~~ (d) Upon receipt of the application, the fee and continuing education documents, and upon approval by the Board, shall reactivate the applicant’s original license the license will be reactivated.

~~(5-6)~~ After five (5) years of inactive status, an Application for **Reinstatement** must be filed pursuant to Board rule 135-6-.04.

Authority: O.C.G.A. 43-1-22